

MISSOURI DEPARTMENT OF HIGHER EDUCATION

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### **COHORT DEFAULT RATES**

**CHALLENGES, ADJUSTMENTS and APPEALS** 

Presented by
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### **TOPICS**



- Cohort Default Rate defined
- **Sanctions**
- Loan Record Detail Report
- **❖Special Circumstances that affect CDRs**
- Adjustments, Challenges and Appeals

# What is a 3-Year Cohort Default Rate?



- ❖ For schools having 30 or more borrowers entering repayment in a fiscal year, the school's cohort default rate is the percentage of a school's borrowers who enter repayment on certain Federal Family Education Loans (FFELs) and/or William D. Ford Federal Direct Loans (Direct Loans) during that fiscal year and default (or meet the other specified condition) within the cohort default period.
- **❖** For schools with 29 or fewer borrowers entering repayment during a fiscal year, the cohort default rate is an "average rate" based on borrowers entering repayment over a three-year period.

(Chapter 2.1 of the CDR Guide, p.2)



### The CDR Calculation Process



### **Cohort Default Period**

\*The "cohort default period" is the three-year period beginning on October 1 of the fiscal year a borrower enters repayment and ends on September 30 of the second fiscal year following the fiscal year the borrower entered repayment.

10/1/2013 9/30/2016 FY 2014

(Chapter 2.1 of the CDR Guide, p.2)



### **Non-Average Rate Formula**

Number of borrowers in the denominator\* who defaulted or met the other specified condition during the cohort default period



Number of borrowers who entered repayment in the cohort fiscal year Cohort Default Rate

\*FFEL and Direct Loan



### **Average Rate Formula**

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Number of borrowers in the denominator\* who defaulted or met the other specified condition during the cohort default period applicable to their loans



Number of borrowers who entered repayment in the cohort fiscal year and the two preceding fiscal years Cohort Default Rate

\*FFEL and Direct Loan



### **Sanctions**



### 3-Year Cohort Default Rate Sanctions

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- \*A school's <u>three</u> most recent official cohort default rates are <u>30.0</u> percent or greater for the three year CDR calculation
- \*A school's <u>current</u> official cohort default rate is greater than <u>40.0</u> percent, for the three year CDR calculation
- A school will lose Direct Loan eligibility
- A school will lose Federal Pell Grant eligibility
- A school will lose Direct Loan program eligibility

\*A school will lose eligibility as indicated above for the remainder of the fiscal year in which the school is notified of its sanction and for the following two fiscal years, except in the event of a successful adjustment or appeal.

**Chapter 2.4 of the CDR Guide** 



### The Loan Record Detail Report



### The LRDR Import Tool

### Federal Student Aid

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Default Management

Home 3-Year Searchable Database Default Management Search: GO Advanced Search CDR Guide Default Rate Guide Master File Contents ▶ Part 1 Introduction Part 2 General Information Part 3 Strategy Part 4 Challenges, Adjustments, and Appeals Glossary Appendices eCDR Notification 3-Year Downloadable **CDR Files** Press Releases Archived Press **Packages** eAppeals

#### Cohort Default Rate Guide - Templates/Spreadsheets for Schools and Data Managers

**FAQs** 

Templates/Spreadsheets for Schools and Data Managers are offered in Microsoft Excel format (XLS) and in Portable Document Format (PDF). The PDF files require version 4.0 or greater of the free Adobe Acrobat Reader software.

#### For Data Managers

Monthly Status Report (XLS) Instructions on the use of the above spreadsheet can be found in the Guide Under Chapter 3.3 "Data Manager Strategies and

Contact Information

The LRDR Import Tool is found on the Default Management website under the CDR Guide/Templates section

#### For Schools

- Loan Record Detail Report (LRDR) Import Tool Instructions for using the tool are provided on the first tab of the workbook.
- Schools Record Spreadsheet (XLS) Instructions on the use of the above spreadsheet can be found in the Guide under Chapter 2.3 "Reviewing the Loan Record Detail Report."
- Incorrect Data Challenge/New Data Adjustment/Erroneous Data Appeal (XLS)
- Participation Rate Index (XLS)
- Loan Servicing Appeal (XLS)
- Low Income Rate (XLS)
- Placement Rate (XLS)
- Completion Rate (XLS) Instructions on the use of the above spreadsheets can be found in the Guide under Part 4 "Challenges, Adjustments, and Appeals."



### The LRDR Import Tool

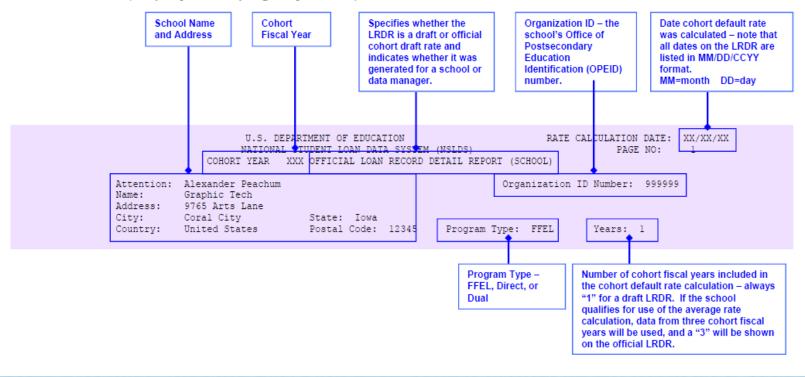
The LRDR Import Tool can be used to load data generated from the LRDR into a Microsoft Excel spreadsheet and is designed to help schools review and analyze their LRDR extract files.

A LRDR contains information on the loans used to calculate a school's draft or official cohort default rate and is distributed as part of the eCDR notification package. Each eCDR package contains an extract-type LRDR. When the LRDR extract is loaded into the LRDR Import Tool, the file is converted into a spreadsheet with assigned column headings, creating a view of the data that is manageable and easy to review for discrepancies and accurate data.



### Reading the LRDR

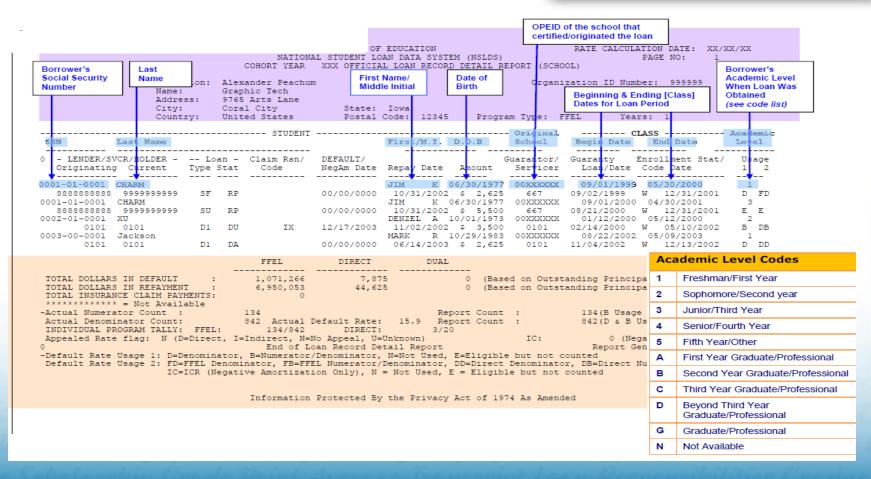
TITLE SECTION (Top of each page of LRDR)



Chapter 2.3 of the CDR Guide

# **Body Section – Line 1 Borrower**

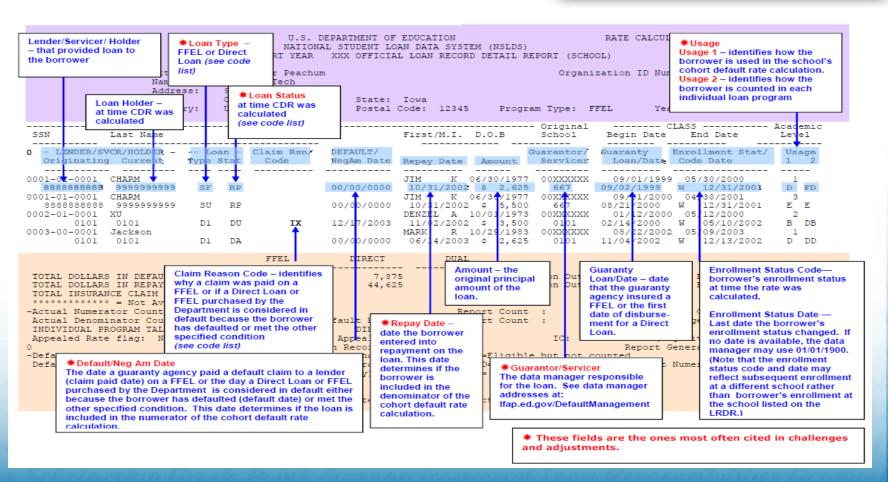




# **Body Section – Line 2 Loan Information**



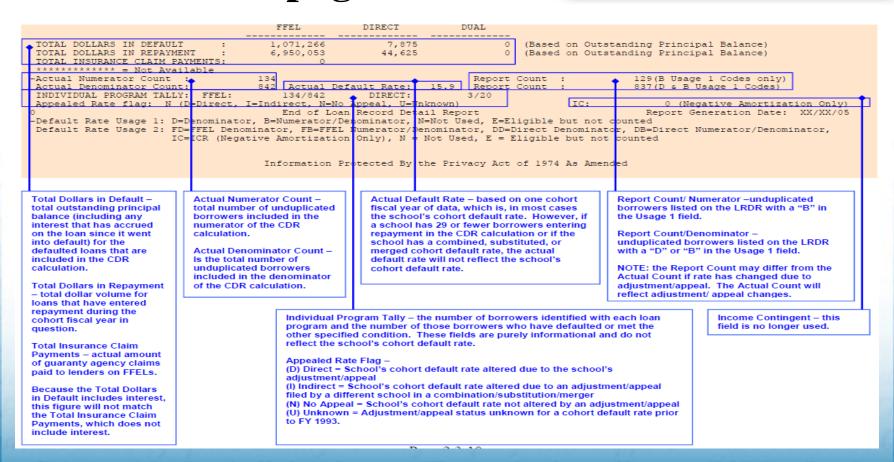
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### Summary – bottom of last page of LRDR

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### **Special Circumstances**



### **Special Circumstances**

Special circumstances that affect the cohort default rate calculation involve:

- **Schools** (loans taken out at more than one school)
- **❖ Repayment** (defaulted loans consolidated, loans paid in full before entering repayment)
- **❖ Loans that were discharged, canceled or refunded** (loan discharged before repayment)
- **❖ Loans that were repurchased** (loan repurchased due to default claim incorrectly submitted to guaranty agency)

Chapter 2.1 of the CDR Guide, p.10



### Challenges, Adjustments and Appeals

# Challenges, Adjustments and Appeals



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Challenges (Draft)

Adjustments (Official)

Appeals (Official)

Incorrect Data Challenge(IDC)

Uncorrected Data
Adjustment
(UDA)

Erroneous Data Appeal (ER) Participation Rate Index Appeal (PRI)

Participation
Rate Index
Challenge(PRI)

New Data Adjustment (NDA)

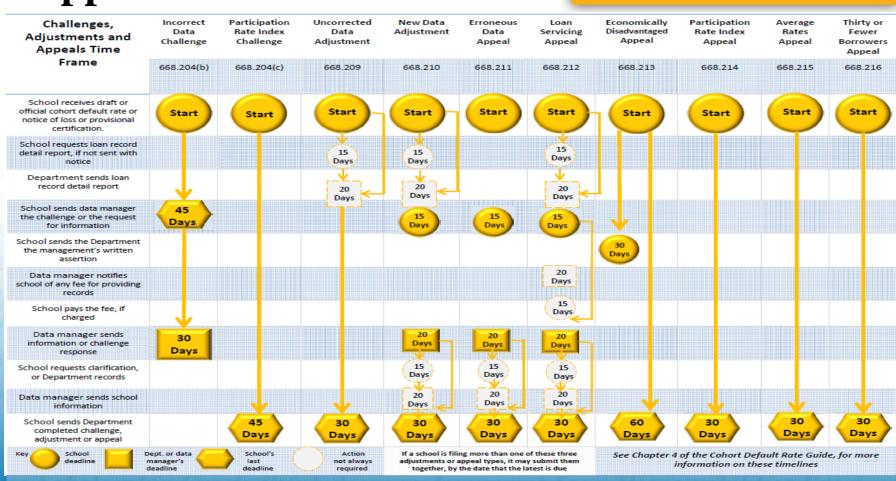
Loan Servicing Appeal (LS) Average Rate Appeal

Economically Disadvantaged Appeal (EDA) Thirty-or-Fewer Borrowers Appeal

### Challenges, Adjustments and Appeals - Time Frames



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### **Incorrect Data Challenges**

**IDC:** A School has information to show that borrowers on the LRDR are incorrectly reported. (Chapter 4.1 of the CDR Guide)

When to file? During the Draft Period

Why file? The correction of incorrect data will impact the official CDR rate. Possible incorrect data may include:

❖ Borrower did not enter repayment during cohort default year

❖ Borrower did not default for CDR purposes during the monitoring period

❖ Other borrowers entered repayment during cohort period

**How to File?** Use LRDR codes to determine how borrowers are counted for the cohort year. Submit IDC if data you reported to NSLDS contradicts data on the LRDR. Ensure you have borrower's SSN, name, basis of alleged error and copies of relevant supporting documents.





**PRI:** Alleges school should not be subject to loss of eligibility or potential placement on provisional certification based solely on its CDR because school has a PRI that meets a specific criteria. (Chapters 4.2 and 4.8 of CDR Guide)

When to file? During Draft and/or Official Periods

Why file? The draft CDR indicates school will be subject to loss of eligibility or potential provisional certification after the release of the official CDR.

**How to file?** Using paper submission, a school must send its PRI challenge to the Department within 45 calendar days for the draft process or 30 calendar days for the PRI appeal for the official process.



### **Uncorrected Data Adjustments**

**UDA**: Reflects changes correctly agreed to by a data manager (DM), as a result of an IDC submitted after the release of the draft CDR, but not reflected in the official CDR release. (Chapter 4.3 of the CDR Guide)

When to file? During the Official Period

Why file? The school's LRDR indicates one or more borrower's agreed upon changes from the IDC are not reflected in the official CDR. An adjustment may decrease the current CDR.

**How to file?** This adjustment is filed through the eCDR Appeals system. The system will compare the LRDR for the draft and official rates and determine if agreed upon changes were made.



### New Data Adjustment

**NDA:** Allows a school to challenge the accuracy of "new data" included in the school's most recent official cohort default rate. (Chapter 4.4 of the CDR Guide)

When to file? During the Official Period

Why file? A school's review of the LRDR for the draft and official rates show data newly included, excluded or otherwise changed during the period between the calculation of the draft and official CDR. If errors are confirmed by the DM, a school's rate will be adjusted.

How to file? This adjustment is available via eCDR Appeals only for the most recent cohort of borrowers, used to calculate most recent official rate.



### **Erroneous Data Appeals**

**ER:** Alleges a school's LRDR for the official rate includes disputed data from the IDC or incorrect new data. Due to new or disputed data, a school's official CDR is inaccurate. (Chapter 4.5 of the CDR Guide)

When to file? During the Official Period

Why file? A school's official CDR includes new and/or disputed data, is subject to sanctions or provisional certification based solely on the official CDR, the successful ER by itself or in combination with a UDA or LSA will result in a recalculated CDR below the sanction threshold.

**How to file?** File this adjustment by paper submission. A school begins the process by sending its ER to the DM responsible for the loan within 15 calendar days of the timeframe begin date.



### **Loan Servicing Appeals**

**LSA:** Alleges a school's official cohort default rate includes defaulted Federal Family Education Loans (FFEL) or William D. Ford Federal Direct Loans (DL) that are considered improperly serviced for CDR purposes. (Chapter 4.6 of the CDR Guide)

When to file? During the Official Period

Why file? A school believes the CDR calculation includes one or more defaulted FFEL or DL improperly serviced for CDR purposes.

**How to file?** A school begins the process by sending a request for loan servicing records to the relevant DM(s) responsible for a loan within 15 calendar days of the timeframe begin date via the eCDR Appeals System.

# When is a defaulted FFEL considered improperly serviced for cohort default rate purposes?



A defaulted FFEL is considered improperly serviced for cohort default rate purposes if one or more of the following occurs:

The borrower never made a loan payment, and the school can document that the lender was required but failed to send at least one letter (other than the final demand letter) urging the borrower to make payments on the loan.

The borrower never made a loan payment, and the school can document that the lender was required but failed to attempt at least one telephone call to the borrower.

The borrower never made a loan payment, and the school can document that the lender was required but failed to submit a request for pre-claims assistance or default aversion assistance to the guaranty agency.

The borrower never made a loan payment, and the school can document that the lender was required but failed to send a final demand letter to the borrower.

The borrower never made a loan payment, and the school can document that the lender was required but failed to submit a certification (or other documentation) to the guaranty agency to demonstrate that the lender performed skip tracing.

# When is a defaulted Direct Loan or FFEL PUT to the Department considered improperly serviced for cohort default rate purposes?



A defaulted Direct Loan is considered improperly serviced for cohort default rate purposes if one or more of the following occur:

The borrower never made a loan payment, and the school can document that the Federal Servicer was required but failed to send at least one letter (other than the final demand letter) urging the borrower to make payments on the loan.

The borrower never made a loan payment, and the school can document that the Federal Servicer was required but failed to attempt at least one telephone call to the borrower.

The borrower never made a loan payment, and the school can document that the Federal Servicer was required but failed to send a final demand letter to the borrower.

The borrower never made a loan payment, and the school can document that the Federal Servicer was required but failed to document that skip tracing was performed if the Federal Servicer determined it did not have the borrower's current address.





**EDA:** Alleges a school should not be subject to loss of eligibility (or placed on provisional certification based on two successive three-year rates of 30% or more), due to having a high number of low-income students and meeting the placement or completion thresholds. (Chapter 4.7 of the CDR Guide)

When to file? During the Official Period

Why file? If an EDA is successful, it exempts the school from loss of eligibility or placement on provisional certification until the next official cohort default rates are released.

**How to file?** Within 30 calendar days, an eligible school may submit a paper copy of an EDA along with the management's written assertion to the Department. Within 60 calendar days, the school must submit an independent auditor's opinion to the Department.



### **Average Rates Appeal**

**ARA:** Alleges a school facing loss of eligibility based on three consecutive official cohort default rates that equal or exceed 30% is not subject to that sanction if at least two of these official CDRs are average rates and would have been less than the relevant threshold if they had been calculated using only the non-average data for that cohort fiscal year alone. A school facing loss of eligibility based on one official CDR greater than 40% is not subject to the sanction if the official CDR was calculated as an average rate. (Chapter 4.9 of the CDR Guide)

When to file? During the Official Period

**Why file?** If a school disagrees with the Department's initial determination of eligibility based on an average cohort default rate, the school may submit an average rate appeal. A successful average rate appeal exempts the school from loss of eligibility until the next official cohort default rates are released.

**How to file?** Within 30 calendar days, an eligible school may submit a paper copy of an average rate appeal along with supporting documentation and certification from the school's chief executive officer that all information is true and correct.





**TFB:** Alleges a school is not subject to sanction, if a combined total of thirty or fewer borrowers entered repayment in the three most recent cohort fiscal years used to calculate a school's cohort default rates. (Chapter 4.10 of the CDR Guide)

When to file? During the Official Period

Why file? If a school disagrees with the Department's initial determination, the school may submit a thirty-or-fewer borrowers appeal. A successful exempts the school from loss of eligibility until the next official cohort default rates are released.

**How to file?** Within 30 calendar days, an eligible school may submit a paper copy of a thirty-or-fewer borrowers appeal to the Department with supporting documentation included showing there were a total of thirty or fewer borrowers in the three most recent cohort fiscal years used to calculate its CDR. The school must also provide certification from the school's chief executive officer that all information is true and correct.

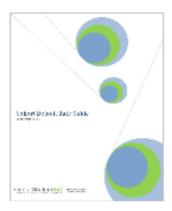


### **Resources and Contact Information**



### Resources

#### Cohort Default Rate Guide



The Cohort Default Rate Guide (Guide) is a comprehensive publication that the U.S. Department of Education designed to present information on cohort default rates. This Guide will help schools participating in the William D. Ford Federal Direct Loan (Direct Loan) Program and also assist schools in managing their Federal Family Education Loan (FFEL) loans. As of September 2015 this Guide has been updated and is the permanent version.

The information found in this Guide does not supersede or alter any regulatory or statutory requirements that are in effect. If the information in this Guide conflicts with the regulations or statute, the regulations and/or statute take precedence. The legislation authorizing the FFEL and Direct Loan programs can be found in Title IV of the Higher Education Act (HEA) of 1965, as amended. The regulations for cohort default rates are primarily in Subpart N of Section 668 of the Code of Federal Regulations (CFR).

#### Cohort Default Rate Guide

- Cohort Default Rate Guide Master File
- Table of Contents
- Part 1: Introduction
- Part 2: General Information
- Part 3: Strategy
- Part 4: Challenges, Adjustments and Appeals
- Glossary
- Appendices



#### Resources

The eCDR Appeals User Guides are designed to lead users through the online, paper-less IDC, UDA, NDA and LSA processes. These guides complement the CDR Guide and assume a basic knowledge of cohort default rates and associated processes.

- What's New with eCDR Appeals User Guide
- eCDR Appeals IDC User Guide
- eCDR Appeals UDA User Guide
- eCDR Appeals NDA User Guide
- eCDR Appeals LSA User Guide



#### Resources

Short, online demonstration sessions of the eCDR system for schools and Data Managers have been recorded by Federal Student Aid as training aids.

#### School demonstration sessions

- Registration for eCDR Appeals
- Preparing and submitting an IDC
- Preparing and submitting a NDA
- Preparing and submitting a UDA



### **Resource Links**

- <a href="http://www.ifap.ed.gov/DefaultManagement/D">http://www.ifap.ed.gov/DefaultManagement/D</a> efaultManagement.html
- <a href="http://ifap.ed.gov/DefaultManagement/CDRGuideMaster.html">http://ifap.ed.gov/DefaultManagement/CDRGuideMaster.html</a>
- <a href="http://ifap.ed.gov/DefaultManagement/guide/T">http://ifap.ed.gov/DefaultManagement/guide/T</a> emplatesSpreadshts.html
- https://ecdrappeals.ed.gov/ecdra/index.html
- https://ecdrappeals.ed.gov/ecdra/docs/faq.html



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### **Questions?**

